

Environmental Protection Agency

§ 52.975

EPA APPROVED LOUISIANA NONREGULATORY PROVISIONS AND QUASI-REGULATORY MEASURES— Continued

Name of SIP provision	Applicable geographic or nonattainment area	State submittal date/effective date	EPA approval date	Explanation
2002 Emission Inventory.	Baton Rouge, LA	7/31/2007	9/3/2009, 74 FR 45561	Approval for CAA sections 110(a)(2)(A), (B), (C), (D)(ii), (E), (F), (G), (H), (J), (K), (L), and (M).
Infrastructure for the 1997 Ozone and 1997 PM _{2.5} NAAQS.	Statewide	12/11/2007 1/7/2008 3/24/2011	7/19/2011, 76 FR 42549	
Baton Rouge Ozone Nonattainment Area Redesignation Request and Maintenance Plan.	Baton Rouge, LA	8/31/2010	11/30/11, 76 FR 74000.	
1997 8-Hour Ozone Section 110 Maintenance Plan.	Pointe Coupee Parish, LA	2/28/2007	5/9/2013 78 FR 27058	SIP submission dated 5/16/2011, technical supplement dated 5/21/2013.
Interstate transport for the 2006 PM _{2.5} NAAQS (contribute to nonattainment or interfere with maintenance).	Statewide	5/16/2011 5/21/2013	4/15/2014, 79 FR 21142	

[63 FR 63183, Nov. 12, 1998, as amended at 64 FR 415, Jan. 5, 1999; 64 FR 35939, July 2, 1999; 64 FR 38580, July 19, 1999; 64 FR 72938, Dec. 29, 1999; 66 FR 29493, May 31, 2001; 67 FR 41842, June 20, 2002; 67 FR 60593, 60595, Sept. 26, 2002; 67 FR 60877, 60885, Sept. 27, 2002; 67 FR 61270, Sept. 30, 2002; 67 FR 61801, Oct. 2, 2002; 70 FR 48882, Aug. 22, 2005; 71 FR 63250, Oct. 30, 2006; 71 FR 66115, Nov. 13, 2006; 71 FR 67310, Nov. 21, 2006; 72 FR 39745, July 20, 2007; 72 FR 55067, Sept. 28, 2007; 72 FR 62584, Nov. 6, 2007; 73 FR 15415, Mar. 24, 2008; 73 FR 53377, Sept. 16, 2008; 73 FR 59522, Oct. 9, 2008; 74 FR 45563, Sept. 3, 2009; 76 FR 38980, July 5, 2011; 76 FR 42556, July 19, 2011; 76 FR 74002, Nov. 30, 2011; 76 FR 75469, Dec. 2, 2011; 78 FR 27062, May 9, 2013; 79 FR 21143, Apr. 15, 2014; 79 FR 21635, Apr. 17, 2014]

§ 52.971 Classification of regions.

The Louisiana plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Ozone
Southern Louisiana-Southeast Texas Interstate	II	I	III	III	I
Shreveport-Texarkana-Tyler Interstate	II	III	III	III	III
Monroe-El Dorado Interstate	II	III	III	III	III

[37 FR 10869, May 31, 1972, as amended at 45 FR 9909, Feb. 14, 1980]

§§ 52.972–52.974 [Reserved]

§ 52.975 Redesignations and maintenance plans; ozone.

(a) *Approval.* The Louisiana Department of Environmental Quality (LDEQ) submitted redesignation requests and maintenance plans for the areas of Beauregard, Lafourche, and St. Mary Parishes on June 14, 1993. Redesignation requests and maintenance

plans were submitted for the areas of Grant and Lafayette on May 25, 1993. The EPA deemed these requests complete on September 10, 1993. Several approvability issues existed, however. The LDEQ addressed these approvability issues in supplemental ozone redesignation requests and revised maintenance plans. These supplemental submittals were received for the areas of Beauregard, Grant, Lafayette,

Lafourche, and St. Mary Parishes on March 27, 1995, December 12, 1994, October 21, 1994, November 18, 1994, and November 23, 1994, respectively. The redesignation requests and maintenance plans meet the redesignation requirements in section 107(d)(3)(E) of the Act as amended in 1990. The redesignations meet the Federal requirements of section 182(a)(1) of the Clean Air Act as a revision to the Louisiana ozone State Implementation Plan for these areas. The EPA therefore approved the request for redesignation to attainment with respect to ozone for the areas of Beauregard, Grant, Lafayette, Lafourche, and St. Mary Parishes on October 17, 1995.

(b) *Approval*—The Louisiana Department of Environmental Quality (LDEQ) submitted a redesignation request and maintenance plan for St. James Parish on May 25, 1993. The EPA deemed this request complete on September 10, 1993. Several approvability issues existed, however. The LDEQ addressed these approvability issues in a supplemental ozone redesignation request and revised maintenance plan. This supplemental submittal was received for St. James Parish on December 15, 1994. The redesignation request and maintenance plan meet the redesignation requirements in section 107(d)(3)(E) of the Act as amended in 1990. The redesignation meets the Federal requirements of section 182(a)(1) of the Clean Air Act as a revision to the Louisiana ozone State Implementation Plan for this parish. The EPA therefore approved the request for redesignation to attainment with respect to ozone for St. James Parish on November 13, 1995.

(c) *Approval*—The Louisiana Department of Environmental Quality (LDEQ) submitted a redesignation request and maintenance plan for the New Orleans CMSA on April 23, 1993. The EPA deemed this request complete on September 10, 1993. Several approvability issues existed, however. The LDEQ addressed these approvability issues in a supplemental ozone redesignation request and revised maintenance plan. This supplemental submittal was received on October 14, 1994. The redesignation request and maintenance plans meet the redesignation requirements in section 107(d)(3)(E) of

the Act as amended in 1990. The redesignation meets the Federal requirements of section 182(a)(1) of the Clean Air Act as a revision to the Louisiana ozone State Implementation Plan for Jefferson, Orleans, St. Bernard, and St. Charles Parishes. The EPA therefore approved the request for redesignation to attainment with respect to ozone for Jefferson, Orleans, St. Bernard, and St. Charles Parishes on December 1, 1995.

(d) *Approval*—The Louisiana Department of Environmental Quality submitted a redesignation request and maintenance plan for Pointe Coupee Parish on December 20, 1995. The redesignation request and maintenance plan meet the redesignation requirements in section 107(d)(3)(E) of the Act as amended in 1990. The redesignation meets the Federal requirements of section 182(a)(1) of the Clean Air Act as a revision to the Louisiana ozone State Implementation Plan for Pointe Coupee Parish. The EPA therefore approved the request for redesignation to attainment with respect to ozone for Pointe Coupee Parish on December 20, 1996.

(e) *Approval*—The Louisiana Department of Environmental Quality submitted a redesignation request and maintenance plan for Calcasieu Parish on December 20, 1995. The redesignation request and maintenance plan meet the redesignation requirements in section 107(d)(3)(E) of the Act. The redesignation meets the Federal requirements of section 182(a)(1) of the Act as a revision to the Louisiana ozone State Implementation Plan for Calcasieu Parish. The EPA therefore approved the request for redesignation to attainment with respect to ozone for Calcasieu Parish on June 2, 1997.

(f) *Approval*—The Louisiana Department of Environmental Quality (LDEQ) submitted minimal maintenance plans for Lafourche Parish on November 18, 1994. The LDEQ submitted a redesignation request on August 9, 2000. The maintenance plans meet the redesignation requirements in section 107(d)(3)(E) of the Act as amended in 1990. The redesignation meets the Federal requirements of section 182(a)(1) of the Clean Air Act as a revision to the Louisiana ozone State

Environmental Protection Agency

§ 52.975

Implementation Plan for Lafourche Parish.

(g) *Approval*—The Louisiana Department of Environmental Quality (LDEQ) submitted to the EPA a request on December 4, 2000, to revise the Louisiana SIP for Beauregard, St. Mary, Lafayette, and Grant Parishes and the New Orleans Consolidated Metropolitan Statistical Area ozone maintenance area. The revision involves changes to the approved contingency plans. The contingency measures and the schedule for implementation satisfy the requirements of section 175A(d) of the Act. The EPA therefore approved this request on June 20, 2003.

(h) *Approval*. The Louisiana Department of Environmental Quality (LDEQ) submitted 8-hour ozone maintenance plans for the areas of Beauregard, Grant, and St. Mary Parishes on August 23, 2006, August 23, 2006, and October 10, 2006, respectively. The three areas are designated unclassifiable/attainment for the 8-hour ozone standard. EPA determined these requests for Beauregard, Grant, and St. Mary Parishes were complete on October 9, 2006, October 9, 2006, and November 30, 2006, respectively. The maintenance plans meet the requirements of section 110(a)(1) of the Clean Air Act, and are consistent with EPA's maintenance plan guidance document dated May 20, 2005. The EPA therefore approved the 8-hour ozone maintenance plans for the areas of Beauregard, Grant, and St. Mary parishes on November 6, 2007.

(i) *Approval*. The Louisiana Department of Environmental Quality (LDEQ) submitted 8-hour ozone maintenance plans for the Lafayette and Lafourche Parish areas on October 13, 2006 and December 19, 2006, respectively. The two areas are designated unclassifiable/attainment for the 8-hour ozone standard. EPA determined these requests for Lafayette and Lafourche Parishes were complete on November 30, 2006 and May 2, 2007, respectively. These maintenance plans meet the requirements of section 110(a)(1) of the Clean Air Act, and are consistent with EPA's maintenance plan guidance document dated May 20, 2005. The EPA therefore approved the 8-hour ozone maintenance plans for the

Lafayette and Lafourche Parish areas on *March 24, 2008*.

(j) *Approval*. The Louisiana Department of Environmental Quality (LDEQ) submitted 1997 8-hour ozone NAAQS maintenance plans for the areas of Calcasieu and St. James Parishes on July 20, 2007, and August 24, 2007, respectively. The two areas are designated unclassifiable/attainment for the 1997 8-hour ozone standard. EPA determined these requests for Calcasieu and St. James Parishes were complete on October 5, 2007, and October 16, 2007, respectively. The maintenance plans meet the requirements of section 110(a)(1) of the Clean Air Act, and are consistent with EPA's maintenance plan guidance document dated May 20, 2005. The EPA therefore approved the 1997 8-hour ozone NAAQS maintenance plans for the areas of Calcasieu and St. James Parishes on *October 9, 2008*.

(k) *Approval*. The LDEQ submitted a maintenance plan addressing the 1997 8-hour ozone standard for the New Orleans Ozone Maintenance Area on June 29, 2007. This area is designated unclassifiable/attainment for the 1997 ozone standard. EPA determined this request for the New Orleans Ozone Maintenance Area was complete on August 8, 2007. This maintenance plan meets the requirements of section 110(a)(1) of the CAA, and is consistent with EPA's maintenance plan guidance document dated May 20, 2005. The EPA therefore approved the 1997 8-hour ozone NAAQS maintenance plan for the New Orleans Ozone Maintenance Area including the parishes of Jefferson, Orleans, St. Bernard and St. Charles on September 16, 2008.

(l) *Approval*. The Louisiana Department of Environmental Quality (LDEQ) submitted a 1997 8-hour ozone NAAQS maintenance plan for the area of Pointe Coupee Parish on February 28, 2007. The area is designated unclassifiable/attainment for the 1997 8-hour ozone standard. EPA determined this request for Pointe Coupee Parish was complete on May 2, 2007. The maintenance plan meets the requirements of section 110(a)(1) of the Clean Air Act, and is consistent with EPA's maintenance plan guidance document dated

May 20, 2005. The EPA therefore approved the 1997 8-hour ozone NAAQS maintenance plan for the area of Pointe Coupee Parish on May 9, 2013.

[60 FR 43025, Aug. 18, 1995, as amended at 60 FR 47285, Sept. 12, 1995; 60 FR 51360, Oct. 2, 1995; 62 FR 652, Jan. 6, 1997; 62 FR 24038, May 2, 1997; 62 FR 64286, Dec. 5, 1997; 66 FR 66321, Dec. 26, 2001; 68 FR 19375, Apr. 21, 2003; 72 FR 62584, Nov. 6, 2007; 73 FR 15416, Mar. 24, 2008; 73 FR 53378, Sept. 16, 2008; 73 FR 59523, Oct. 9, 2008; 78 FR 27062, May 9, 2013]

§ 52.976 Review of new sources and modification.

(a) Section 6.7 of Regulation 6.0 is disapproved since it could conflict with the preconstruction requirements for the prevention of significant deterioration (PSD) of air quality.

(b) Section 6.9 of Regulation 6.0 is disapproved since it could conflict with the preconstruction requirements for the prevention of significant deterioration (PSD) of air quality and the Administrator's Interpretative on Rule of December 21, 1976.

[44 FR 18491, Mar. 28, 1979, as amended at 47 FR 6017, Feb. 10, 1982]

§ 52.977 Control strategy and regulations: Ozone.

(a) *Determination of Attainment.* Effective March 12, 2010 EPA has determined the Baton Rouge 1-hour ozone nonattainment area has attained the 1-hour ozone National Ambient Air Quality Standard (NAAQS). Under the provisions of EPA's Clean Data Policy, this determination suspends the requirements for this area to submit a severe attainment demonstration, a severe reasonable further progress plan, applicable contingency measures plans, and other planning Louisiana State Implementation Plan (SIP) requirements related to attainment of the 1-hour ozone NAAQS for so long as the area continues to attain the 1-hour ozone NAAQS.

(b) *Determination of Attainment.* Effective October 12, 2010 EPA has determined that the Baton Rouge 8-hour ozone nonattainment area has attained the 1997 8-hour ozone National Ambient Air Quality Standard (NAAQS). Under the provisions of 40 CFR 51.918 this determination suspends the requirements for this area to submit an attainment

demonstration, a reasonable further progress plan, applicable contingency measures, and other planning Louisiana State Implementation Plan (SIP) requirements related to attainment of the 1997 8-hour ozone NAAQS for so long as the area continues to attain the 1997 8-hour ozone NAAQS.

(c) *Determination to Terminate the Clean Air Act Section 185 Penalty Fee Requirement.* Effective September 6, 2011 EPA has determined that the State of Louisiana is no longer required to submit a section 185 fee program State Implementation Plan (SIP) revision for the Baton Rouge ozone nonattainment area to satisfy anti-backsliding requirements for the 1-hour ozone standard. This determination is based on EPA's determination that the area has attained the 1-hour ozone standard due to permanent and enforceable emissions reductions.

(d) *Redesignation for the 1997 8-hour Ozone Standard.* Effective December 30, 2011, EPA has redesignated the Baton Rouge area to attainment for the 1997 8-hour ozone standard. With this final redesignation to attainment for the 1997 8-hour ozone NAAQS and the final determination of attainment for the 1-hour ozone NAAQS in paragraph (a) of this section, the 1-hour anti-backsliding obligations to submit planning SIPs to meet the attainment demonstration and reasonably available control measures requirements, the rate of progress and contingency measures requirements, and any other outstanding 1-hour requirements, cease to apply.

(e) *Clean Data Determination.* Effective June 16, 2014 EPA has determined that the Baton Rouge, Louisiana, marginal 2008 8-hour ozone nonattainment area is currently attaining the 2008 8-hour NAAQS for ozone.

[75 FR 6575, Feb. 10, 2010, as amended at 75 FR 54779, Sept. 9, 2010; 76 FR 39777, July 7, 2011; 76 FR 74002, Nov. 30, 2011; 79 FR 21142, Apr. 15, 2014]